

**2007 No. 32**

**ANIMALS**

**ANIMAL HEALTH**

**The Welfare of Animals (Transport) (Amendment) Regulations  
(Northern Ireland) 2007**

*Made* - - - - - *19th January 2007*

*Coming into operation* - - - - - *12th February 2007*

The Department of Agriculture and Rural Development, being designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the common agricultural policy of the European Community, makes the following Regulations in exercise of the powers conferred on it by that section.

**Citation and commencement**

1. These Regulations may be cited as the Welfare of Animals (Transport) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 12th February 2007.

**Interpretation**

2.—(1) In these Regulations “the principal Regulations” means The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006<sup>(c)</sup>.

(2) The Interpretation Act (NI) 1954<sup>(d)</sup> shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

**Amendment of The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006**

3. The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006 are amended in accordance with regulations 4 to 8.

4. In regulation 2(1) (Interpretation)—

(a) before the definition of “Council Regulation 1/2005” there shall be inserted—

““animal” means all vertebrate and cold-blooded invertebrate animals;”;

(b) after the definition of “Council Regulation 1255/97” there shall be inserted—

““inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Department;”.

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(a) S.I. 2000/2812  
(b) 1972 c. 68  
(c) S.R. 2006 No. 538  
(d) 1954 c. 33 (N.I.)

5. In regulation 3 (Extension of the definition of “animals”) of the principal Regulations after the words “Part I” there shall be inserted the words “and Part II”.

6. Regulation 24 (Powers of inspectors) of the principal Regulations shall be amended as follows—

- (a) in paragraph (3)—
  - (i) the words “An inspector” shall be omitted; and
  - (ii) before the word “may”, there shall be inserted the words—  
“A notice under paragraph (2)”.
- (b) in paragraph (7)—
  - (i) the words “an inspector” shall be omitted; and
  - (ii) after the words “In particular,” there shall be inserted the words—  
“a notice under paragraph (6)”.
- (c) after paragraph (8) there shall be inserted —  
“(9) A person who fails to comply with a notice served under paragraph (2) or (6) is guilty of an offence.”.

7. In regulation 27 (Production of plans) of the principal Regulations, after paragraph (2) there shall be inserted—

“(3) Subject to paragraph (2), a person who fails to comply with paragraph (1) is guilty of an offence.”.

8. Regulation 29 (Offences) of the principal Regulations shall be omitted.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 19th January 2007



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A senior officer of the Department of Agriculture and Rural Development

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Welfare of Animals (Transport) Regulations (Northern Ireland) 2007 (the principal Regulations).

Regulation 4 amends regulation 2(1) of the principal Regulations by inserting a definition of “animal” and “inspector”.

Regulation 5 amends regulation 3 of the principal Regulations, by inserting a reference to Part II of Schedule 1 to the Diseases of Animals (Northern Ireland) Order 1981.

Regulation 6 amends paragraphs (3) and (7) of regulation 24 of the principal Regulations, it also inserts a new paragraph (9), the effect of which is to specify that a person who fails to comply with a notice served under regulation 24(2) or, (6) is guilty of an offence.

Regulation 7 amends regulation 27 of the principal Regulations by inserting a new paragraph (3), the effect of which is to specify that failure to comply with regulation 27(1) constitutes an offence.

Regulation 8 omits regulation 29 of the principal Regulations.